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DEC 21 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Eberhard FRITZ et al.**

Appln. No.: 10/018,623

Examiner: **GILBERT, Samuel**

Filed: **December 18, 2001**

Art Unit: **3736**

Attorney Docket No.: **3993.002**

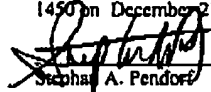
Confirmation No.: **4998**

For: **RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT**

Customer No.: **30448**

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited either by facsimile to 571-273-8300 or with the U.S. Postal Service as First Class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 21, 2006


Stephen A. Pendorf

Reg. No. 32,665

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT /
REVIVE ABANDONED APPLICATION**

**MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Applicants hereby petition under 37 C.F.R. §1.181 (a) for withdrawal of the holding of abandonment, or, in the alternative, petition to revive the application under 37 C.F.R. §1.137(b).

Enclosed as exhibits hereto are the following:

{WP358503;1}

U.S. Application No. 10/018,623
PETITION TO REVIVE PATENT

Attorney Docket No.: 3993.002

- Exhibit A – Issue Fee Transmittal Form filed May 10, 2006 requesting Issue Fee be paid out using the Deposit Account.
- Exhibit B – Confirmation report indicating that the documents were successfully transmitted to the USPTO at 571-273-2885 on May 10, 2006.

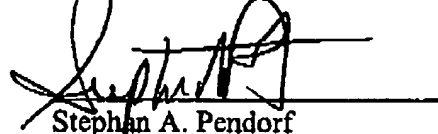
Applicants hereby declare that the filing of the required Issue Fee was filed by the required due date.

If the request to withdraw the holding of abandonment is denied, Applicants hereby Petition for Revival of the application under 37 C.F.R. §1.137(b). Applicant states that the entire delay in filing the Request for Continued Examination until the filing of this petition pursuant to 37 CFR §1.137(b) was unintentional. Authorization is hereby granted to charge the Petition fee to Deposit Account No. 50-0951, if deemed necessary.

Applicants request the decision of this petition in writing to the address associated with Customer Number 30448 and further examination of this application as soon as possible.

Respectfully submitted,

AKERMAN SENTERFITT



Stephan A. Pendorf
Registration No. 32,665
222 Lakeview Avenue, Suite 400
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: 561.653.5000

Date: December 21, 2006

{WP358503;1}

EXHIBIT A

APPLICATION NO.: 10/018,623

TITLE OF INVENTION:

**RADIATION SOURCE FOR
ENDOVASCULAR RADIATION TREATMENT**

PTO/SB/21 (09-04)

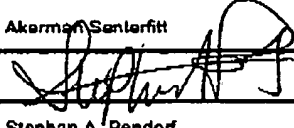
Approved for use through 07/31/2006. OMB 0651-0031

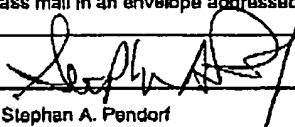
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/018,623	RECEIVED CENTRAL FAX CENTER DEC 21 2006
	Filing Date	March 22, 2002	
	First Named Inventor	FRITZ, Eberhard	
	Art Unit	3735	
	Examiner Name	Samuel G. Gilbert	
Total Number of Pages in This Submission	2	Attorney Docket Number	3993.002

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTOL-85 B - Fee Transmittal
Remarks The enclosed documents are being submitted for payment of the Issue Fee. The Commissioner is authorized to charge the deposit account for the amount due, as specified on PTOL-85 B.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Akerman Senterfitt		
Signature			
Printed name	Stephan A. Pendorf		
Date	May 10, 2006	Reg. No.	32,665

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Stephan A. Pendorf	Date	May 10, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT B

APPLICATION NO.: 10/018,623

TITLE OF INVENTION:

**RADIATION SOURCE FOR
ENDOVASCULAR RADIATION TREATMENT**

Confirmation Report - Memory Send

Page : 001
 Date & Time: May-10-06 15:05
 Line 1 : 5616596313
 Line 2 :
 Machine ID : Akerman Senterfitt

Job number : 704
 Date : May-10 15:04
 To : 215712732885
 Number of pages : 002
 Start time : May-10 15:04
 End time : May-10 15:05
 Pages sent : 002
 Status : OK

Job number : 704

*** SEND SUCCESSFUL ***

PTOL-95/91 (05-04)
 Approved for use through 07/31/2005. Date 05/10/06

Under the Patent Act of 1952, no person is entitled to receive a patent of information unless it discloses a valid and control number.

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing) Total Number of Pages in This Submission: 2	Application Number	15712732885
	Filing Date	March 22, 2005
	First Named Inventor	FRITZ, Eberhard
	Art Unit	2725
	Examiner Name	Samuel C. Giken
	Attorney District Number	2003-002

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Preliminary Information
<input type="checkbox"/> Affidavit/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTOL-95 B - Fee Transmittal
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Reply to Missing Parts	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	
	The enclosed documents are being submitted for payment of the issue fee. The Commissioner is authorized to charge the deposit account for the amount due, as specified on PTOL-95 B.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Akerman Senterfitt	
Signature		
Printed name	Stephan A. Pender	
Date	May 10, 2006	Reg. No. 32,066

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460 on the date shown below:		
Signature		Date
Typed or printed name	Stephan A. Pender	Date

For collection of information is required by 37 CFR 1.0. The information is required to obtain or retain a benefit by the person which is to file (and by the USPTO in process) an application. Confidentiality is governed by 37 CFR 1.0. This collection is estimated to be 3 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. This will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9100 and select option 3.